



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION 8, MONTANA OFFICE**  
**FEDERAL BUILDING, 10 West 15<sup>th</sup> St, Suite 3200**  
**HELENA, MONTANA 59626**

Ref: 8MO

May 10, 2010

Mr. Bob Dach  
Hydropower Program Manager  
Bureau of Indian Affairs  
911 N.E. 11th Avenue  
Portland, Oregon 97232

Re: CEQ 20100127; Drought Management Planning at  
the Kerr Hydroelectric Project, Flathead Lake,  
Montana, Final Environmental Impact Statement

Dear Mr. Dach:

The U.S. Environmental Protection Agency (EPA) Region VIII Montana Office has reviewed the Final Environmental Impact Statement (FEIS) for Drought Management Planning at the Kerr Hydroelectric Project, at Flathead Lake, Montana.

The FEIS evaluates impacts of implementing a Drought Management Plan prepared to meet the Article 60 requirements for the Federal Energy Regulatory Commission (FERC) license for operation of the Kerr Hydroelectric Project in a manner that avoids and resolves potential water use conflicts between Flathead Lake levels, minimum downstream river flows, flood control, and other factors during drought years. Alternative 2 (Minimum Instream Flows Variance Allowed), which would allow flexibility in meeting minimum instream flows during drought periods, has been selected as the preferred alternative.

The EPA appreciated receipt of responses to EPA's DEIS comments as well as responses to DEIS comments made by other agencies and the public in Chapter 7 of the FEIS. While the EPA supports maintenance of minimal instream river flows below Kerr Dam as much as possible to avoid adverse impacts to aquatic biota and habitat, temperature effects, and river uses below the dam, we also recognize the need for flexibility in maintaining minimum instream flows during periods of severe drought by considering flood control needs, Flathead Lake boating and recreation, and other factors and needs. Alternative 2 appears to apportion impacts in an effort to balance the many trade-offs and minimize overall adverse environmental, social and economic effects.

We understand that the U.S. Army Corps of Engineers may supersede the requirements of the recommended alternative in the Drought Management Plan based on the official forecast from the National Weather Service (NWS) if the Corps considers that necessary to reduce the risk of flooding.

The EPA appreciates the opportunity to review and comment on this project during the NEPA process. If you have any questions regarding our input please contact Mr. Steve Potts of my staff in Helena at (406) 457-5022 or in Missoula at 406-329-3313. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Julie A. DalSoglio". The signature is written in a cursive, flowing style.

Julie A. DalSoglio  
Director  
Montana Office

cc: Larry Svoboda/Connie Collins, EPA, 8EPR-N, Denver